

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

ANGELIA SCOTT,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:21-cv-01270-AGF
	)	
ST. LOUIS UNIVERSITY	)	
HOSPITAL,	)	
	)	
Defendant.	)	

**JOINT PROPOSED SCHEDULING ORDER AND DISCOVERY PLAN**

Pursuant to the Court's **May 11, 2022** Order Setting Rule 16 Conference, the counsel identified below participated in the meeting required by Fed. R. Civ. P. 26(f) and hereby submit the following Joint Proposed Scheduling Order and Discovery Plan.

A. Track Assignment: The parties generally agree that this is the type of case for which a Track 2 assignment is appropriate, but have proposed dates slightly beyond the general deadlines for Track 2 because although the case has been pending since September 2021, discovery has not yet begun due to the removal of the action to this Court and the subsequent filing of a Motion to Dismiss as to all of Plaintiff's claims. The Motion to Dismiss was ruled upon on April 25, 2023. In addition, counsel for Plaintiff and Defendant have other trial settings and commitments throughout the Spring and early Summer of 2023.

B. Joinder of Additional Parties or Amendment of the Pleadings: Additional parties shall be joined and the pleadings shall be amended by **July 29, 2022**. This deadline is subject to the rights of both parties to amend or join parties thereafter, with leave of court, if justice so requires, as provided in Fed. R. Civ. P. 15.

C. Discovery Plan:

- (i) If the need for the disclosure or discovery of electronically stored information arises, the parties will prepare a mutually agreeable ESI protocol.
- (ii) The parties have not reached any agreements related to asserting claims of privilege or of protection as trial-preparation material after production.
- (iii) The parties shall make their Fed. R. Civ. P. 26(a)(1) disclosures within 14 days of the Scheduling Conference, on or before **June 27, 2022**.
- (iv) Discovery need not be conducted in phases or limited to certain issues.
- (v) Plaintiff shall disclose her expert witness(es) and produce any expert report(s) no later than **August 15, 2022**. The disclosures must comply with Federal Rule of Civil Procedure 26(a)(2)(A)(B). Deposition(s) of Plaintiff's expert(s) shall be completed no later than **September 15, 2022**.

Defendant shall disclose its expert witness(es) and produce any expert report(s) no later than **September 15, 2022**. The disclosures must comply with Federal Rule of Civil Procedure 26(a)(2)(A)(B). Deposition(s) of Defendants' expert(s) shall be completed no later than **October 17, 2022**.

- (vi) The parties agree that the presumptive limits of ten (10) depositions per side pursuant to Fed. R. Civ. P. 30(a)(2)(A) and twenty-five (25) interrogatories per party pursuant to Fed. R. Civ. P. 33(a) shall apply.
- (vii) The parties do not anticipate the need to request physical or mental examinations pursuant to Fed. R. Civ. P. 35.
- (viii) All discovery shall be completed by **January 1, 2022**.
- (ix) The parties are not aware of any other matters pertinent to the completion of discovery in this case that need to be addressed at this time.

D. Referral to Mediation or Early Neutral Evaluation: The parties agree that mediation may facilitate the resolution of this case and request referral to mediation on or before **July 25, 2022**.

C. Dispositive Motions: Dispositive motions shall be filed by **March 1, 2023**.

D. Daubert Motions: Daubert motions shall be filed by **May 11, 2023**.

E. Date of Trial: The earliest date by which the case should reasonably be ready for trial is **July 10, 2023**.

- F. Estimate of Trial Length: The estimated length of time to try this case is **3** trial days.
- G. Protective Order: The parties believe a protective order is appropriate and will submit a mutually agreed upon proposed protective order to the Court.

Dated: June 6, 2022

Respectfully submitted,

LAW OFFICE OF MADELINE JOHNSON

GREENSFELDER, HEMKER & GALE, P.C.

By: /s/ Madeline Johnson w/consent

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